

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

Crl.MC.No. 1920 of 2007()

AGAINST THE JUDGEMENT/ORDER IN CRA.742/2004 Dated 27/03/2006
CRA.226/2007 of SESSIONS COURT, ALAPPUZHA
(CRMP 895 2007)

PETITIONER: PETITIONER

JOMON K.J., S/O.LATE K.J.JOSE,
I.L.J.HOUSE, JUBILEE ROAD, ALAPPUZHA.

BY ADV. SRI.GEORGE SEBASTIAN

RESPONDENTS: COUNTER PETITIONERS

1. GEORGE ALEXANDER, MUTHOOT HOUSE,
KOZHENCHERRY, MANAGING PARTNER OF MUTHOOT
BANKERS, REP.BY POWER OF ATTORNEY HOLDER,
BALAKRISHNAN, KOCHUTHOTTUNGAL HOUSE, M.O.WARD,
ALAPPUZHA.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY SRI.GIKKU JACOB.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 14/06/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 1920 OF 2007

Dated this the 14th day of June, 2007

ORDER

The petitioner was found guilty, convicted and sentenced in a prosecution under Sec.138 of the Negotiable Instruments Act. He preferred an appeal. The appeal was admitted and the sentence was suspended subject to conditions. Inter alia, it was directed, as per the order dated 30/3/07, that an amount of Rs.1,50,000/- must be deposited within a period of one month. The petitioner had sought extension of time. That was granted; but the amount remains unpaid even now. The petitioner has come to this Court with a prayer that he may be granted extension of time to avoid the unenviable predicament of his being obliged to go to prison before his appeal is considered on merits.

2. I am satisfied that a short further time can be granted to the petitioner on condition that he shows his bona fides. I

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am satisfied that the request of the petitioner can be considered favourably. The petitioner is granted a further time on condition that he deposits an amount of Rs.25,000/- within 7 days, a further amount of Rs.50,000/- within a further period of one month and the entire balance amount within a further period of one month.

3. This Crl.M.C. is accordingly allowed to the above extent.

4. Hand over a copy of this order to the learned counsel for the petitioner.

Sd/-

(R. BASANT, JUDGE)

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//true copy//

P.S. to Judge